

REMARKS/ARGUMENTS**1.) Claim Amendments**

The Applicant has amended claims 4, 33, 36, and 39 through 46. Accordingly, claims 1 through 46 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections

The Examiner objected to claim 33 due to informalities. The Applicant has amended the claim to correct the informality. The Examiner's consideration of the amended claim is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claims 1-46 under 35 U.S.C. § 112 as failing to comply with the written description requirement. The Applicant has amended some of the claims to eliminate any confusion with terminology. The Examiner's consideration of the amended claims is respectfully requested. To the extent that this rejection is still maintained in light of the amendments, the Applicant respectfully traverses this rejection.

For instance, independent claims 1, 20, 33, 40, and 43 have been rejected because "the limitations of '[reduced] by an overall amount of noise suppression level, characterized by said overall amount of noise suppression level is obtained by optimizing a linear combination of said first and said second amount of noise suppression levels,' were not adequately described in the specification." The Applicant respectfully disagrees.

On page 14, lines 16 to 22, the specification states:

With the proposed approach of sub-dividing the noise suppression into two modules, the aforementioned adaptation of the noise suppressors can be further optimized for a given speech encoding/decoding system by separately adapting the noise suppression for the pre- and post-NS as a function of noise level and noise spectral characteristics as well as the characteristics of the speech encoding/decoding system.

The specification, therefore, teaches the concept of a first and second amount of noise suppression levels which are optimized. That the individual tuning is done in order to optimize the speech quality and the overall noise suppression level should be obvious to the one "skilled in the art."

On page 17, lines 18 to 23, the way of optimizing is described in the specification:

At the receiver end of the transmission, another user receives the noise-suppressed signal (step 635), processes (step 640), e.g., decodes, the signal, and passes control to step 650, in which a second noise suppressor is applied to the received signal and optimized to filter out noise in the received signal format.

Thus, the transmission noise is (the noise as seen by the receiver) is a function of the speech encoder and is thus known to the transmitter. This is reflected by the table on page 15 of the specification where the post noise suppression level is made dependent on the AMR bit-rate. This explains the Examiner's inquiry regarding "how the presently claimed could be performed as from the specification one noise suppression device resides in a transmitter and the other in a potentially remote receiver."

Consequently, the Applicant respectfully submits that the limitation of "whereby the noise associated with said given one of said voice communications is reduced by an overall amount of noise suppression level, characterized by said overall amount of noise suppression level is obtained by optimizing a linear combination of said first and said second amount of noise suppression levels" is fully supported by the specification. The Applicant, therefore, respectfully requests that the § 112 rejection be withdrawn for claims 1, 20, 33, 40, and 43.

Claims 2-9, 20-32, 34-39, 41-42, and 44-46 were rejected because they were dependent on claims 1, 20, 33, 40, and 43. It is respectfully submitted that the § 112 rejection be withdrawn for the same reasons as cited for the respective independent claims.

The Examiner rejected claims 40-46 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

Attorney Docket No. P13325

regards a the invention. The Applicant has amended the claims be more definite and more particularly claim the invention. Support for these amendments may be found in throughout the Specification, for instance, starting at page 11, line 22 through page 12, line 15. The Examiner's consideration of the amended claims is respectfully requested.

It appears that the Examiner has also rejected claims 4, 36, 46, and 39 under 35 U.S.C. § 112 because it was not understood what is meant by the term "the codec mode." The Applicant has amended the claims be more definite and more particularly claim the invention. The Examiner's consideration of the amended claims is respectfully requested.

4.) Claim Rejections – 35 U.S.C. § 102(b)

The Examiner has maintained the rejected claims 1, 6-8, 18 and 19 under 35 U.S.C. § 102(e) as being anticipated by Ozawa (EP 655,731) "under the assumption that the Applicant intends to withdraw the new matter stated above." Because, the Applicant traverses the rejection, the Applicant does not believe the § 102(b) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

5.) Claim Rejections – 35 U.S.C. § 103 (a)

The Examiner rejected claims 2, 4 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and further in view of Romesburg (WO 97/34290). Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claims 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and further in view of Aoki, et al. (US 5,933,506). Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the

Amendment - PAGE 12 of 15
EUS/J/P/04-8799

Attorney Docket No. P13325

Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and Aoki, and further in view of Foulkes, et al. (US 3,560,669). Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claims 12-14 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and further in view of Dolby (US 3,665,345). Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa, and further in view of Suvanen, et al. (US 6,081,732). Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa, and further in view of Ferrer, et al. (US 6,115,589). Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claims 24 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and Romesburg, and further in view of Aoki. Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant

Amendment - PAGE 13 of 15
EUS/JIP/04-8799

Attorney Docket No. P13325

incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claim 26 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and in view of Romesburg, and Aoki, and further in view of Foulkes. Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claims 27-29 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and Romesburg, and further in view of Dolby. Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claim 31 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and Romesburg, and further in view of Suvanén. Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

The Examiner rejected claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa and Romesburg, and further in view of Ferrer. Because, the Applicant traverses the rejection, the Applicant does not believe the § 103(a) rejection is still applicable. To the extent this rejection is deemed to be applicable, the Applicant incorporates by reference the arguments made in the previous response filed on April 7, 2004.

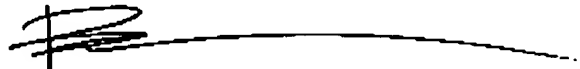
Attorney Docket No. P13325

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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